IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 7603 OF 2005

Shri Vijay Kumar Sharma ... Applicant

Vs.

The State of Maharashtra & Anr. Respondents

Shri Sanjeev P. Kadam for the applicant.

Shri A.S.Shitole, APP, for the State.

Shri Ejaz Khan, Spl. P.P.for CBI.

CORAM: S.K.SHAH,J.

DATE : 25th April,2006.

P.C.

1. This Application is filed against the order passed by the Special Judge on 20.10.2005 in Special Case No.14 of 1998. The witness was under cross-examination on a previous day. The matter was fixed on 20.10.2005 for further cross-examination of the said witness. It was obviously to the knowledge of the learned Counsel representing the accused persons. When the matter was called out for cross-examination of the witness who was present in Court. A request was made for keeping that matter back by mentioning that the same Advocate had three writ petitions in the High Court. On that ground, the

matter was requested to be kept back which the Special Judge passed a speaking order granting that request with costs of Rs.3,000/-. As the matter was kept on that day for cross-examination of the same witness to the knowledge of the Advocate, such request for keeping the matter back was totally uncalled for and therefore the order for payment of costs was just and proper.

2. At this stage, the learned Counsel for the applicant requests for reducing the costs of Rs.3,000/-. The learned Counsel for the Respondents agrees for reduction and submits that two witnesses were present. The costs may be reduced toRs.2,000/-.

3. The costs of Rs.3,000/- is reduced to Rs.2,000/-.

The Application stands disposed of.

--

(S.K.SHAH,J.)